

REMARKS

The present amendment requests amendment of claims 11, 34, 44 (a minor editorial amendment) and 47, cancellation of claims 9, 12-16, and 28-33, 35-42, 45-46 and 48-56 and addition of claims 57-60. Claims 1-8, 10 and 17-27 were previously cancelled. With entry of this amendment, claims 11, 34, 43, 44, 47, and 57-60 will remain in this application.

In the previous Action, claims 11 and 43 were indicated as allowable if the objection to claim 11 was taken care of. This has been done. Claim 44 was allowed. Claims 34 and 47 were indicated as being allowable in independent form. This has also been done. Thus, claims 11, 34, 43, and 47 are in condition for allowance.

New claims 57 and 59 are a form of claim 34 with some changes, which does not impact on patentability and should not require a new search or consideration. In both claims, the limitation “one of the first prism and second prism is a total reflection prism and the other prism is a total transmission prism” has been removed and in claim 59 the term “prism” has been replaced by “optical component.” In the pending claims, the following correspondence exists:

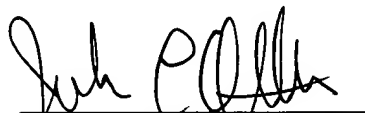
FIG. 5	claims 11, 43, 44, 47	claims 34, 57-58	claims 59-60
fluorescent cube 12	2nd optical element		
fluorescent light source 14	1st light source		
light source (laser) 509	2nd light source		
dichroic mirror 512	3rd optical element		
total reflection prism 16c	1st optical element	1st prism	1st optical component
total transmission prism 16b	total transmission P	2nd prism	2nd optical component

Applicants believe that the claims remain patentable in this form. The Examiner's reasons for allowance are the same as the previous action, that is the inclusion of the limitation “the distance Y which is the distance between said total reflection prism and said total transmission prism is set to be longer than a half of the diameter X which is the maximum diameter of a light flux of said observation optical path,” in claim 11. Applicants submit that it is the dimensions, not the particular optical elements called out that define over the art. Thus, entry of these new claims and allowance of this application is respectfully solicited.

The Examiner is invited to call the undersigned at (202) 220-4200 to discuss any information concerning this application.

The Office is hereby authorized to charge any additional fees under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayment to Deposit Account No. 11-0600.

Respectfully submitted,



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